

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

) Group Art Unit:

FLOCKHART et al.

) Examiner:

Serial No.: Not Yet Assigned

) INFORMATION DISCLOSURE STATEMENT

Filed: Herewith

) "EXPRESS MAIL" MAILING LABEL NUMBER: EV331284800US  
) DATE OF DEPOSIT: September 26, 2003

Atty. File No.: 4366-108

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED  
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TYPED OR PRINTED NAME: AIMEE M. THUERK

SIGNATURE:

*Aimee M. Thuerk*

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner. Copies of the cited references:

☒ Are enclosed herewith.

☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. filed, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references is believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. \_\_\_\_\_ filed \_\_\_\_\_

Serial No. \_\_\_\_\_ filed \_\_\_\_\_

☐ Other: \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents

analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

### FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <p><input checked="" type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</p> <p><input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or</p> <p><input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</p> <p><input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <p>(1) a final action under 37 C.F.R. 1.113 or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311, or</p> <p>(3) an action that otherwise closes prosecution in the application.</p> <p>This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p style="text-align: center;">AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>

**Certification (37 C.F.R. 1.97(e))**

(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: \_\_\_\_\_

  
Douglas W. Swartz

Registration No. 37,739

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: \_\_\_\_\_

Sept 26, 2003

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 4366-108	SERIAL NO. Not Yet Assigned
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANT FLOCKHART et al.	
		FILING DATE Herewith	GROUP ART

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
/N.K./	AA	6,614,903	9/2/03	Flockhart et al.	379	265.12	
	AB	6,563,920	5/13/03	Flockhart et al.	379	265.1	
	AC	6,535,601	3/18/03	Flockhart et al.	379	266.01	
	AD	6,463,346	10/8/02	Flockhart et al.	700	102	
	AF	6,453,038	9/17/02	McFarlane et al.	379	265.05	
	AF	6,366,668	4/2/02	Borst et al.	379	266.04	
	AG	6,295,353	9/25/01	Flockhart et al.	379	266	
	AH	6,192,122	2/20/01	Flockhart et al.	379	266	
	AI	6,173,053	1/9/01	Bogart et al.	379	266	
	AL	6,163,607	12/19/00	Bogart et al.	379	266	
	AK	6,088,441	7/11/00	Flockhart et al.	379	265	
	AL	6,064,731	5/16/00	Flockhart et al.	379	265	
	AM	6,049,547	4/11/00	Fisher et al.	370	412	
	AN	5,982,873	11/9/99	Flockhart et al.	379	266	
	AO	5,905,793	5/18/99	Flockhart et al.	379	266	
	AP	5,903,877	5/11/99	Berkowitz et al.	705	26	
	AQ	5,828,747	10/27/98	Fisher et al.	379	309	
	AR	5,825,869	10/20/98	Brooks et al.			
V	AS	5,754,639	5/19/98	Flockhart et al.	379	221	

EXAMINER	/Neil Kardos/	DATE CONSIDERED	03/21/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.